Center for Applied Economics, New York University working paper RR# 94-29, Oct. 1994).

Goodman, Gary A., "Federal and State Disclosure Requirements and Restrictions in Connection With U.S. Acquisitions by Foreign Purchasers," 21 Real Property Probate and Trade Journal(?) 623 (1986).

Govett Oriental Investment Trust plc, 1994 Annual Report and Accounts (1994).

Graham, Edward M., "Strategic Management and Transnational Firm Behavior"

Graham, Edward M., and Paul R. Krugman, Foreign Direct Investment in the United States (Institute for International Economics 3d ed. 1995).

Graham, Robert, "Italy alters state sales agenda," Financial Times, May 17, 1995, at 2.

"Granados May Be Safe, Hope That Composer and His Wife Are on a Hospital Ship," New York Times, Apr. 1, 1916.

Griffiths, Andrew, "Portugal Telecom rings the bells for privatisation," Daily Telegraph, June 5, 1995, at 25.

GTE Corp., 1994 SEC Form 10-K (1995).

"GTE to Enter Mexico Market," New York Times, Sept. 28, 1994, at D2.

A Guide to Foreign Investment Under United States Law (Allan R. Roth ed., 1979).

Haberler, Gottfried, Theory of International Trade (William Hodge & Co. 1933)

Hamilton, David P., "Big Fiber-Optic Project is Private Sector's Job, Japan's Reformers Say," Wall Street Journal, Aug. 15, 1994, at A1.

Hamilton, David P., "Motorola Settles Cellular Dispute With Japanese," Wall Street Journal, Mar. 11, 1995, at A8.

Hancock Institutional Equity, Investing in the "Emerging" Telecommunications Industry (Dec. 2, 1994) (written by Douglas C. Ashton).

Harbrecht, Douglas, "Why It's Time for a Showdown With Japan," Business Week, Oct. 3, 1994, at 53.

Hart, Kenneth, "Duel to the death? Cable television industry in France," Communications International, May 1994, at 7.

Hayek, Friedrich A., "The Use of Knowledge in Society," 35 American Economic Review 519(1945).

Hayek, Friedrich A., The Fatal Conceit: The Errors of Socialism (W.W. Bartley, III, ed., Routledge 1988).

Hazlett, Thomas W., "The Rationality of U.S. Regulation of the Broadcast Spectrum," 33 Journal of Law and Economics 133 (1990).

Hazlett, Thomas W., and Matthew L. Spitzer, Cable Television Regulation and the First Amendment (MIT Press & AEI Press forthcoming 1995).

Helpman, Elhanan, and Paul R. Krugman, Trade Policy and Market Structure (MIT Press 1989).

Herzel, Leo, Comment, "'Public Interest' and the Market in Color Television Regulation," 18 *University of Chicago Law Review* 802 (1951).

Hill, Andrew, "Structure has been simplified—Andrew Hill says the telecoms industry has a difficult task ahead," *Financial Times*, Oct. 25, 1994, at 35.

Hill, Andrew, "Telecom Italia seeks to pay government less," Financial Times, Dec. 1, 1994, at 3.

Hill, Andrew, "Telecom Italia told to open up to competition," Financial Times, Jan. 12, 1995, at 2.

Hill, Andrew, "Italian telecoms giant roars as tiny challenger scores a hit: Arguments over the rules are complicating a tough fight," *Financial Times*, Jan. 20, 1995, at 2.

Hill, Andrew, "Italy's state telecom company and IBM discuss network link," Fianncial Times, Feb. 9, 1995, at 1.

Hill, Andrew, "Omnitel keeps powder dry in phones battle—The group is intent on building a robust network before launch," *Financial Times*, Feb. 14, 1995, at 22.

Hill, Andrew, "IRI to sell its Stet stake by year-end," Financial Times, Feb. 23, 1995, at 37.

Hill, Andrew, "Telecom Italia demerges mobile unit," Financial Times, Mar. 21, 1995, at 27.

Hill, Andrew, "Italy clears line for digital phones," *Financial Times*, Mar. 31, 1995, at 3.

Hill, Andrew, "Rich mixture of a telephonic stew: A look at the muddled process of privatising and deregulating Italy's telecoms," *Financial Times*, Apr. 26, 1995, at 22.

Hill, Andrew, "Telecom Italia to find fibre-optic expansion," Financial Times, May 26, 1995, at 23.

Hill, Andrew, "IBM, Telecom Italia in mobile office deal," Financial Times, Apr. 8, 1995, at 11.

Hill, Andrew, "Olivetti to split PC side frrom office products," Financial Times, July 10, 1995, at 20.

Hirose, Toru, "Toshiba Plays Supporting Role in Showbiz Venture: Partnership Strategy Pays Off With Stable Time Warner Ties," Nikkei

Hirsig, Andrea, "Continental in Japan Venture," *Hollywood Reporter*, Mar. 21, 1995, at 24.

Holmer, Alan F., Judith H. Bello, and Jeremy O. Preiss, "The Final Exon-Florio Regulations on Foreign Direct Investment: The Final Word or Prelude to Tighter Controls?," 23 Law & Policy of International Business 593 (1992).

Horstmann, Ignatius J., and James Markusen, "Up Your Average Cost Curves: Inefficient Entry and New Protectionism," 20 *Journal of International Economics* 225 (1986).

Howeth, L.S., History of Communications—Electronics in the United States Navy XIV (Bureau of Ships and Office of Naval History 1963).

Hudson, Richard L., "BT Cuts Rates on Phone Calls As Much as 60%," Wall Street Journal, Nov. 2, 1993, at A19.

Hudson, Richard L., "Sprint, Five Other Phone Companies Receive Licenses to Expand in Britain," Wall Street Journal, Apr. 7, 1994, at A10.

Hudson, Richard L., "Italy's Olivetti Is Tapping Into Telecommunications: Company Builds Cellular Network, Plans On-Line Electronic Services," Wall Street Journal, July 29, 1994, at B4.

Hudson, Richard L., and Audrey Choi, "Deutsche Telekom's Monopoly Status Weighs Heavily on Privatization Plan," Wall Street Journal, Nov. 17, 1994, at A20.

Hymer, Steven H., The International Operations of National Firms: A Study of Direct Foreign Investment (MIT Press 1976).

Inglis, Andrew F., Behind the Tube: A History of Broadcasting Technology and Business (Focal Press/Butterworth Publishers 1990).

"Interactive multimedia trial for Paris cable," New Media Markets, June 29, 1995.

International Telecommunications Union, World Telecommunication Development Report (1994).

International Telecommunications Union, Cross Ownership in the Telecommunication Service Sector (unpublished report Mar. 23, 1995).

"Investors say Spanish cable bill is too restrictive," New Media Markets, Jan. 13, 1994.

Irwin, Douglas A., Managed Trade: The Case Against Import Targets (AEI Press 1994).

"Italian Phone Ruling," Wall Street Journal, Jan. 12, 1995, at A11.

"Italy Market Regulator Clears Listing of Telecom Italia," AFX News, May 18, 1995.

"Itochu Corp.: Time Warner, U S West Buy Stakes in a Cable-TV Unit," Wall Street Journal, Nov. 15, 1994, at A19.

J P Morgan & Co., Inc., 1994 SEC Form 10-K (1995).

Jackson, Tony, and Alan Cane, "Sprint signs deal with European partners," *Financial Times*, June 23, 1995, at 15.

Jaffe, Louis, "The Editorial Responsibility of the Broadcaster: Reflections on Fairness and Access," 85 Harvard Law Review 768 (1972).

"Japan Calls It PHS and Competitors Listen," Wall Street Journal, Mar. 28, 1995, at A19.

Johnson, Leland L., Toward Competition in Cable Television (MIT Press & AEI Press 1994).

Jolly, W.P., Marconi (Stein & Day 1972).

Kageki, Norri, "U.S. cable-TV titan enters Japan venture: Tele-Communications. Sumitomo target new media," Nikkei Weekly, Dec. 12, 1994, at 8.

Kahn, David, The Codebreakers (London, Weidenfeld & Nicolson 1974).

Kamm, Thomas, "AT&T Leaves Machines Bull Bidding Team," Wall Street Journal, Feb. 24, 1995, at B6.

Keller, John J., and Craig Torres, "AT&T Corp. and Grupo Alfa Plan Venture," Wall Street Journal, Nov. 10, 1994, at A6.

Kellogg, Michael K., John Thorne, and Peter W. Huber, Federal Telecommunications Law (Little, Brown & Co. 1992).

Krattenmaker, Thomas G., and Lucas A. Powe, Jr., Regulating Broadcast Programming (MIT Press & AEI Press 1994).

Krattenmaker, Thomas G., and Lucas A. Powe, Jr., "Converging First Amendment Principles for Converging Communications Media," 104 Yale Law Journal 1719 (1995).

Krenzler, Horst G., Director-General I, European Commission, letter to Mr. Oliver, The EC Commission of the American Chamber of Commerce in Belgium (Jan. 18, 1995).

Kreps, David R., A Course in Microeconomic Theory (Princeton University Press 1990).

Krieger, Todd, "Romancing the Bi-Bop: The French and Their Phone," New York Times, Apr. 23, 1995, at 49.

Krueger, Anne O., "Free Trade Is the Best Policy," in An American Trade Strategy: Options for the 1990s (Robert Z. Lawrence & Charles L. Schultze eds., Brookings Institution 1990).

Krueger, Anne O., American Trade Policy: A Tragedy in the Making (AEI Press 1995).

Krugman, Paul R., "Introduction: New Thinking about Trade Policy," in *Strategic Trade Policy and the New International Economics* (Paul R. Krugman ed., MIT Press 1986).

Krugman, Paul R., "Introduction," in *Empirical Studies of Strategic Trade Policy* (Paul R. Krugman ed., National Bureau of Economic Research 1994).

Krugman, Paul R., and Maurice Obstfeld, *International Economics:* Theory and Practice (Harper Collins 3d ed. 1994).

Kyocera Corp., 1994 Annual Report (1994).

Langfield, Martin B., "Mexico bill sets terms of telecom liberalization," *Reuters*, Apr. 25, 1995.

Lapper, Richard, "Spanish banks may win exclusive role in Telefonica deal," *Financial Times*, May 2, 1995, at 28.

Lavin, Douglas, "France Puts Off Telecom Privatization," Wall Street Journal, July 12, 1995, at A10.

Lehman Brothers, The UK Cable Market: Breaking New Ground (Feb. 17, 1994).

Levin, Harvey J., The Invisible Resource: Use and Regulation of the Radio Spectrum (Johns Hopkins University Press 1971).

Lewis, Tom, Empire of the Air: The Men Who Made Radio (Edward Burlingame Books 1991).

Lindemann, Michael, "Runners and riders poised for the off," Financial Times, Jan. 12, 1995, at 14.

Lindemann, Michael, "BMW considering 25% stake in telecoms

Lindemann, Michael, "Deutsche Telekom may place more shares outside Germany," Financial Times, Feb. 3, 1995, at 21.

Lindemann, Michael, "A buzzing business manoeuvre by RWE—the German utility is expanding in the telecoms market," *Financial Times*, Feb. 23, 1995, at 37.

Lipin, Steven, "U.S. Cable-TV Firm To Buy a 40% Stake in Mexican Company," Wall Street Journal, Jan. 25, 1995, at A3.

Lipsey, Robert, "Outbound Direct Investment and the U.S. Economy," 4691 National Bureau of Economic Research 1 (1994).

Lipsky, Abbott B., Jr., Note, "Reconciling *Red Lion* and *Tornillo*: A Consistent Theory of Media Regulation," 28 Stanford Law Review 563 (1976).

Lucky, Robert W., Affidavit, Motion of Bell Atlantic Corporation, BellSouth Corporation, NYNEX Corporation, and Southwestern Bell Corporation to Vacate the Decree, *United States* v. *Western Electric Co.*, No. 82-0192 (filed D.D.C., July 6, 1994).

"Lyonnaise des Eaux, France Télécom to begin multimedia cable trials in July," AFX News, June 28, 1995.

MCI Communications Corp., 1993 Annual Report (1994).

MacAvoy, Paul W., "Tacit Collusion under Regulation in the Pricing of Interstate Long-Distance Telephone Service," 4 Journal of Economics and Management Strategy 147 (1995).

Mahoney, William, "French cable industry sees flurry of recent activity," *Multichannel News*, Feb. 14, 1994, at 3.

Markey, Edward J., "Telecommunications and Fincancial Services Trade Hangs on NAFTA Thread," 1 San Diego Justice Journal 281 (1993).

Markusen, James R., "The Boundaries of Multinational Enterprises and the Theory of International Trade," 9 Journal of Economic Perspectives 169 (1995).

Mayton, William T., "The Illegitimacy of the Public Interest Standard at the FCC," 38 Emory Law Journal 715 (1989).

McLuhn, Marshall, Understanding Media: The Extensions of Man (New American Library 1964).

Merrill Lynch, New Zealand Telecom: Solid Quarter Raising ADR Receipts (Feb. 16, 1995).

Merrill Lynch, Portugal Telecom: Initial Opinion (June 27, 1995).

Merrill Lynch, Telefónica de España: Overseas Value Lagging Profits (Mar. 15, 1995).

Merrill Lynch, Telecom Italia: Mobile Spin Off to Enhance Value (June 26, 1995).

Merrill Lynch, Telecommunications Services: Global Valuation and Statistical Review (June 21, 1995).

"Mexico link helps Ionica raise Pounds 30m," Financial Times, June 2, 1994, at 24.

Micromedia Ltd., Cancorp Plus Database: Maritime Telephone & Telegraph Co. Ltd. (Apr. 28, 1995).

Micromedia Ltd., Cancorp Plus Database: Northwestel, Inc. (Nov. 9, 1994).

Middelmann, Conner, "SBC prepares for Telecom Italia demerger," Financial Times, Apr. 20, 1995, at 36.

Middelmann, Conner, and Peter Wise, "Portugal Telecom success underlines positive mood—International offerings," Financial Times, June 5, 1995, at 21.

Milgrom, Paul R., and John Roberts, Economics, Organization and Management 131 (Prentice-Hall 1992).

Miller, Karen L., and Gail Edmondson, "We're Making a 180-Degree Turn," Business Week, Nov. 21, 1994, at 20.

Minasian, Jora R., "Property Rights in Radiation: An Alternative Approach to Radio Frequency Allocation," 18 Journal of Law and Economics 221 (1975).

Morgan, Kenneth O., "The Twentieth Century," in The Oxford History of Britain 582 (Kenneth O. Morgan ed., Oxford University Press 1988).

"Morgan Stanley to Advise on Privatizing Stet SpA," Wall Street Journal, Oct. 31, 1994, at A11.

Morgan Stanley, UK Cable: Second-Quarter Update: Recovering from those First-Quarter Blues (Sept. 29, 1994).

Motomura, Hiroshi, "Immigration Law After a Century of Plenary Power: Phantom Constitutional Norms and Statutory Interpretation," 100 Yale Law Journal 545 (1990).

"Multimedia in Britain: Down the line," Economist, Nov. 26, 1994, at 76.

Naik, Gautam, "Sprint Signs \$4.1 Billion Agreement With French, German Phone Carriers," Wall Street Journal, June 23, 1995, at B2.

Nakamoto, Michiyo, "C&W invests £10m in new Japanese telecoms format," Financial Times, Feb. 24, 1995, at 5.

Nash, Nathaniel, "Germany's Telephone Pie Is Just Too Big to Pass

Up," New York Times, Jan. 30, 1995, at D1.

New Zealand Ministry of Commerce, Telecommunications Reform in New Zealand: 1987-1994, Telecommunications Leaflet No. 5 (Jan. 19, 1995).

Newman, Mark, "Survey of Mobile Communications," *Financial Times*, Sept. 5, 1994, at VIII.

Newtel Enterprises Ltd., 1994 Annual Report (1995).

N'Guyen, Godefroy Dang, "Country Study France," in Wissenschaftliches Institut für Kommunikationsdienste & European-American Center for Policy Analysis, Network Interconnection in the Domain of ONP: Study for DG XIII of the European Commission: Annex to Final Report (1994).

"Noika Walks Softly But Carries A Big Stick," Wall Street Journal, Mar. 28, 1995, at A20.

Nomura Executive Research, Latin America Telecommunications Regulatory Symposium Transcript (Apr. 25, 1995).

North American Telecommunications Association, 1995 Telecommunications Market Review and Forecast (1995).

Note, "The Message in the Medium: The First Amendment on the Information Superhighway," 107 Harvard Law Review 1062 (1994).

NYNEX Corp., 1994 Annual Report (1995).

Ober, Tracey, "Spanish telecoms stirring interest as market opens," Reuter European Small Business Report, Feb. 20, 1995.

Olbeter, Erik, and Lawrence Chimerine, Crossed Wires: How Foreign Policies and U.S. Regulators are Holding Back the U.S. Telecommunications Services Industry (Economic Strategy Institute 1994).

594 Foreign Investment in Telecommunications

"Olivetti sees 'well-established' European operator to take Infostrada stake," AFX News, July 4, 1995.

"Operators believe only cable telephony can help," New Media Markets, Sept. 22, 1994.

Oster, Sharon M., Modern Competitive Analysis (Free Press 1990).

Owen, Bruce M., Economics and Freedom of Expression: Media Structure and the First Amendment (1975).

Paglin, Max, A Legislative History of the Communications Act of 1934 (Oxford University Press 1989).

"Pan-European mobile data begins to take shape," FinTech Mobile Communications, May 19, 1994.

Parkes, Christopher, "Jostling for position in German telecoms race," Financial Times, Sept. 22, 1994, at 25.

Pollack, Andrew, "Time Warner in Japanese Cable Venture," New York Times, Jan. 10, 1995, at D2.

Polsby, Daniel D., "Candidate Access to the Air: The Uncertain Future of Broadcaster Discretion," 1981 Supreme Court Review 223.

Porter, Michael, *The Competitive Advantage of Nations* (Oxford University Press 2d ed. 1993).

"Portugal telecom absorbs Marconi stake," *Financial Times*, Apr. 7. 1995, at 17.

Portugal Telecom, S.A., *Prospectus for 6,500,000 Ordinary Shares* (June 1, 1995).

"Portugal Telecom, S.A.," S&P Daily News, July 7, 1995.

Posner, Richard A., Economic Analysis of Law (Little, Brown & Co.

4th ed. 1992).

Powe, Lucas A., Jr., American Broadcasting and the First Amendment (University of California Press 1987).

"Private telepoint operator to open second network in France," FinTech Mobile Communications, Feb. 9, 1995.

"Privatisation: Germany PTT sale cleared," Business Europe, July 18, 1994.

Public Papers and Addresses of Franklin D. Roosevelt, 1934 (Samuel Rosenman ed., 1950).

Redburn, Tom, "Sprint Forms European Alliance," New York Times, June 15, 1994, at D3.

Reuters Holdings plc, 1991 Annual Report (1992).

Ricardo, David, On the Principles of Political Economy and Taxation (Guernsey Press Co. 1992) (1817).

Richardson, Elliot, "United States Policy Toward Foreign I Investment: We Can't Have It Both Ways," 4 American University Journal of Law and Public Policy 281 (1989).

Ridding, John, "Sleeping French market receives a wake-up call—The governm Financial Times, Oct. 6, 1994, at 30.

Ridding, John, "Generale des Eaux in mobile phone accord," Financial Times, Oct. 12, 1994, at 31.

Ridding, John, "France ponders superhighway gamble," Financial Times, Oct. 27, 1994, at 2.

Ridding, John "Alcatel buys into mobile telephone operation," Financial Times, Dec. 8, 1994, at 33.

596 Foreign Investment in Telecommunications

Ridding, John, "Cable TV battle goes underground: French utilities are jockeying for position in run-up to telecoms liberalisation," *Financial Times*, Jan. 18, 1995, at 2.

Robinson, John O., Spectrum Management Policy in the United States: An Historical Account (Federal Communications Commission, Office of Plans and Policy, Apr. 1985).

Rogers Cantel Mobile Communications Inc., 1992 Annual Report (1993).

Rogers Communications Inc., 1992 Annual Report (1993).

Rogers, Jim, "German Telecom Official Outlines Country's New Open Market Policy," Washington Telecom Week, Apr. 7, 1995, at 1.

"Rogers Says It Will Not Pursue Stake in Unitel," New York Times, Apr. 20, 1995, at D4.

Rose, Ian M., Note, "Barring Foreigners from Our Airwaves: An Anachronistic Pothole on the Global Information Highway," 95 Columbia Law Review 1188 (1995).

SBC Communications, Inc., 1994 SEC Form 10-K (1995).

Sampson, Anthony, The Sovereign State of ITT (Stein & Day 1973).

Schelling, Thomas C., *The Strategy of Conflict* (Oxford University Press 1960).

Schuettler, Darren, "Future control of Canada's Unitel in limbo," Reuters, Apr. 21, 1995.

Shapiro, Eben, and Norihiko Shirouzu, "Time Warner, Allies Mull Japan Cable Project," Wall Street Journal, Dec. 27, 1994, at A3.

Sharpe, Antonia, "Repsol deal augurs well for Portugal Telecom—Global share offers," Financial Times, Apr. 18, 1995, at

28.

Shirouzu, Norihiko, "After Years of Static, Japanese Cable Changes Channels," Wall Street Journal, Feb. 9, 1995, at B4.

Shuck, Peter, "The Transformation of Immigration Law," 84 Columbia Law Review 1 (1984).

Sidak, J. Gregory, "Antitrust Preliminary Injunctions in Hostile Tender Offers," 30 Kansas Law Review 491 (1982).

Sidak, J. Gregory, "A Framework for Administering the 1916 Antidumping Act: Lessons from Antitrust Economics," 18 Stanford Journal of International Law 377 (1982).

Sidak, J. Gregory, "The Recommendation Clause," 77 Georgetown Law Journal 2079 (1989).

Sidak, J. Gregory, "To Declare War," 41 Duke Law Journal 27 (1991).

Sidak, J. Gregory, "War, Liberty, and Enemy Aliens," 67 New York University Law Review 1402 (1992).

Sidak, J. Gregory, "Telecommunications in Jericho," 82 California Law Review 1209 (1993).

Simon, Bernard, "Canada dials up long-distance network price war," Financial Times, July 1, 1994, at 23.

Simon, Bernard, "Shareholders set to announce restructuring plans for Unitel," *Financial Times*, Jan. 10, 1995, at 21.

Simon, Bernard, "Shake-out on the line in Canada—Unitel has been hard hit in the telecoms war," Financial Times, Feb. 2, 1995, at 30.

Simpkins, John, and Robert Graham, "Olivetti bid wins Italian telecom license," Financial Times, Mar. 29, 1994, at 2.

Smith, Adam, An Inquiry into the Nature and Causes of the Wealth of Nations (Oxford University Press 1976) (1776).

Snoddy, Raymond, "BT Links with BSkyB to Beat Cable Challenge," Financial Times, Nov. 12, 1994, at 4.

Socolow, A. Walter, *The Law of Radio Broadcasting* (Baker, Voorhis & Co. 1939).

Southwestern Bell Corporation, 1993 SEC Form 10-K (1994).

"Spain approves draft local cable television legislation, Euromarketing," Jan. 10, 1995.

"Spain: Foreign firms have been partially shut out of 3 key industries," Crossborder Monitor, July 12, 1995.

"Spain gets phone message," Financial Times, Mar. 28, 1995, at 2.

"Spain's mobile phone competition," *Privatisation International*, Dec. 1994.

Spak, Michael I., "America for Sale: When Well-Connected Former Federal Officials Peddle Their Influence to the Highest Foreign Bidder—A Statutory Analysis and Proposals for Reform of the Foreign Agents Registration Act and the Ethics in Government Act," 78 Kentucky Law Journal 237 (1990).

"Spat Over Cable Monopolies Threatens EU Effort to Open Telephone Markets," Wall Street Journal, Nov. 15, 1994, at A11B.

Spitzer, Matthew L., "Controlling the Content of Print and Broadcast," 58 Southern California Law Review 1349, 1358-64 (1985).

Spitzer, Matthew L., Seven Dirty Words and Six Other Stories (Yale University Press 1986).

Spitzer, Matthew L., "The Constitutionality of Licensing Broadcasters," 64 New York University Law Review 990 (1989).

Spitzer, Matthew L., "Justifying Minority Preferences in Broadcasting," 64 Southern California Law Review 293 (1991).

Spulber, Daniel F., Regulation and Markets (MIT Press 1989).

Steiner, Robert, "Japan's Information Highway is Pricey," Wall Street Journal, Aug. 17, 1994, at C1.

Steinmetz, Greg, "Bell South and Thyssen Join to Compete in German Telecommunications Market," Wall Street Journal, Jan. 25, 1995, at A12.

Steinmetz, Greg, "Deregulation Plans In Germany Face Union Resistance," Wall Street Journal, Apr. 25, 1995, at A17.

Steinmetz, Greg, and John J. Keller, "AT&T, RWE Talk of German Phone Alliance," Wall Street Journal, Feb. 21, 1995, at B12.

Steinemetz, Greg, "Mannesmann Scores With Cellular Service," Wall Street Journal, Feb. 24, 1995, at A6.

Stet-Societa Finanziaria Telefonica P.A., Annual Report 1993: Report on the Year's Activities (1994).

Stet-Societa Finanziaria Telefonica P.A., Report on Operations: First Half of 1994 (1994).

"Still passing Portugal," Economist, May 13, 1995, at 72.

Stone, Geoffrey, "Imagining a Free Press," 90 Michigan Law Review 1246 (1992).

"Sussex Survivor Returns," New York Times, May 23, 1916, at 2.

Tagliabue, John, "Italy's Phone Monopoly Confronts a New World," New York Times, Mar. 27, 1995, at D5.

Taylor, Lester D., Telecommunications Demand: Theory and Evid-

600 Foreign Investment in Telecommunications

ence (Kluwer Academic Publishers 1994).

"TDR launches France's first CPP paging service," FinTech Mobile Communications, Mar. 9, 1995.

Télébec Limitée, 1994 Annual Report (1995).

Telecom Corp. of New Zealand Ltd., 1994 SEC Form 20-F (1994).

Telecommunications Competition and Deregulation Act of 1995 (discussion draft, Jan. 31, 1995).

"Telecommunications Pact," New York Times, July 10, 1995, at 8.

"Telecoms Liberalisation reaches Final Stages in EU," Business Europe, Nov. 28, 1994.

Telefónica de Argentina, 1994 SEC Form 20-F (1995).

Telefónica de España, S.A. 1993 SEC Form 20-F (1994).

"Telefonica selects banks for global share offering," Financial Times, June 22, 1995, at 31.

"Telefonica to be allowed to operate in Spain cable TV," AFX News, July 24, 1995.

Télefonos de México, S.A. de C.V., 1993 SEC Form 20-F (1994).

TeleWest Communications plc, 1994 Annual Report (1995).

TeleWest Communications plc, *Prospectus for 108,000,000 Ordinary Shares* (Nov. 7, 1994).

Temin, Peter, The Fall of the Bell System: A Study in Prices and Politics (Cambridge University Press 1987).

Terraine, John, The U-Boat Wars, 1916-1945 (G.P. Putnam's Sons

1989).

Tirole, Jean, The Theory of Industrial Organization (MIT Press 1988).

Tolchin, Martin, "Agency on Foreign Takeovers Wielding Power," Wall Street Journal, Apr. 24, 1989, at D6.

Torres, Amelia, "EU has hard time policing the telecoms market," Reuter European Community Report, July 11, 1995.

Torres, Craig, "Telmex Monopoly to Face Fight From Wealthy Mexican Investor," Wall Street Journal, May 3, 1994, at A10.

TPG Research & Reports, Latin American Telecommunications: Executive Summary (1995).

"Transatlantic Trade: Futilities," *The Economist*, Apr. 24, 1993, at 71.

Tuchman, Barbara W., The Zimmermann Telegram (The Macmillan Company 1966).

Tucker, Emma, "Van Miert renews attack on Franco-German telecoms link," Financial Times, June 14, 1995, at 3.

Universal Service Telecomminications Act of 1995 (staff working draft, Feb. 14, 1995).

U.S. Civil Rights Commission, Federal Civil Rights Enforcement Effort (1971).

U.S. Congress, Office of Technology Assessment, U.S. Telecommunications Services in European Markets (Government Printing Office 1993).

U.S. Congress, Office of Technology Assessment, U.S. Telecommunications Services in European Markets (Government Printing Office

1994).

:

"U.S. pushes Spain on investment," *Star Tribune*, Feb. 28, 1995, at 3D.

U S West Inc., 1994 Annual Report (1995).

"U S West, Time Warner to Buy into Chofu Cable," Nikkei Weekly, Nov. 21, 1994, at 9.

University of Colorado Interdisciplinary Telecommunications Program, *Telecommunications Database Report* (1994).

"Unraveling Europe's telephones," Economist, Dec. 3, 1994, at 18.

Varian, Hal R., Microeconomic Analysis (W.W. Norton & Co. 3d ed. 1992).

Vickers, John, and George Yarrow, Privatization: An Economic Analysis (MIT Press 1988).

Viner, Jacob, Dumping: A Problem in International Trade (1923).

Vitzthum, Carlta, "Airtel Consortium Is Planning to Invest \$2.27 Billion in Spain's Cellular Market," Wall Street Journal, Jan. 4, 1995, at A7A.

Vitzthum, Carlta, "Spain Approves Sale of 12% Stae in Telefonica," Wall Street Journal, May 1, 1995, at A9H.

Wartmann, Rick, "Keep Out: Foreign Moves to Buy U.S. Defense Firms Face Higher Hurdles, New National Security Law Orders Tighter Scrutiny in Wake of Thomson Case—Would Clinton Be Tougher?," Wall Street Journal, Nov. 2, 1992, at A6.

Waterman, David, "Vertical Integration and Program Access in the Cable Television Industry," 47 Federal Communications Law Journal 511 (1995),

Watkins, John J., "Alien Ownership and the Communications Act," 33 Federal Communications Law Journal 1 (1980).

White, David, "Telefonica profit advances 15%," Financial Times, May 17, 1995, at 26.

White, David, "Survey of Spain—Banking and Finance," Financial Times, May 23, 1995, at I.

White, Llewellyn, *The American Radio* (University of Chicago Press 1971).

Williamson, Oliver E., "Franchise Bidding for National Monopolies in General and with Respect to CATV", 7 Bell Journal of Economics 73 (1976).

Williamson, Oliver E., The Economics Institutions of Capitalism (Free Press 1985).

"A Wireless Stake in France For SBC Communications," New York Times, Oct. 12, 1994, at D9.

Wise, Peter, "Portugal Telecom offering priced," Financial Times, June 2, 1995, at 25.

Wise, Peter, "Telecom issue breathes life into Lisbon," Financial Times. June 6, 1995, at 30.

Wise, Peter, "Developing a safe haven in Portugal—The Emerging Investor," Financial Times, June 12, 1995, at 25.

Wissenschaftliches Institut für Kommunikationsdienste & European-American Center for Policy Analysis, Network Interconnection in the Domain of ONP: Study for DG XIII of the European Commission, Final Report (Nov. 1994).

"With Variations, Sprint Announces European Pact," New York Times, June 23, 1995, at B2.

604 Foreign Investment in Telecommunications

Wittering, Stewart, "No More manana; Spain deliberates on cable and local TV telecommunications bills," *Communications International*, Mar. 1995, at 58.

Yellin, Susan, "Rogers still has that long-distance feeling; Company will stay in phone market," Ottawa Citizen, Apr. 29, 1995, at E1.

Yokell, Larry J., "Cable TV companies move into telecom markets," Business Communications Review, Nov., 1994, at 43.

Case and Regulatory Proceeding Index

- Abrams v. United States, 250 U.S. 616 (1919),
- Adarand Constructors Inc. v. Pena, 63 U.S.L.W. 4523 (1995),
- Addison Broadcasting Co., 2 F.C.C. Rcd. 6357 (1987).
- Advanced Business Communications, Inc., 101 F.C.C.2d 516 (1985),
- Advanced Mobile Phone Service, Inc., 54 Rad. Reg. 2d (P & F) 354 (Common Carrier Bureau 1983)
- Alascom, Inc., 6 F.C.C. Rcd. 2969 (Common Carrier Bureau 1991).
- Algreg Cellular Engineering, 7 F.C.C. Rcd. 8686 (1992),
- Amendment of § 73.3555 of the Commission's Rules Relating to Multiple Ownership of AM, FM, and Television Broadcast Stations, Memorandum Opinion and Order, Gen. Dkt. No. 83-1009, 100 F.C.C.2d 17 (1984),
- Amendment of §§ 73.35, 73.240, and 73.646 of the Commission Rules Relating to Multiple

- Ownership of Standard, FM, and Television Broadcast Stations, First Report and Order, Dkt. No. 18110, 22 F.C.C.2d 306 (1970), modified, 28 F.C.C.2d 662 (1971),
- Amendment of Parts 2 and 90 of the Commission's Rules to Provide for the Use of 200 Channels, 1995 FCC LEXIS 2614 (Apr. 17, 1995),
- Amendment of Parts 76 and 78 of the Commission's Rules to Adopt General Citizenship Requirements for Operation of Cable Television Systems and for Grant of Station Licenses in the Cable Television Relay Service, Report and Order, Dkt. No. 20621, 59 F.C.C.2d 723 (1976),
- Amendment of Parts 76 and 78 of the Commission's Rules to Adopt General Citizenship Requirements for Operation of Cable Television Systems and for Grant of Station Licenses in the Cable Television Relay

- Service, Memorandum Opinion and and Order, 77 F.C.C.2d 73 (1980).
- Amendment of Part 90 of the Commission's Rules to Eliminate Separate Licensing of End Users of Specialized Mobile Radio Systems, Notice of Proposed Rule Making, PR Dkt. No. 92-79, 7 F.C.C. Rcd. 2885 (1992),
- American Banana Co. v. United Fruit Co., 213 U.S. 347 1909),
- American Satellite Corp., 80 F.C.C.2d 254 (1980),
- Ameritech Corp. v. United States, 867 F. Supp. 721 (N.D. III. 1994),
- A Plus Communications of Puerto Rico, Inc., File No. 22913-CD-TC-(2)-82 (May 13, 1982),
- Arkansas Writers' Project, Inc. v. Ragland, 481 U.S. 221 (1987),
- Associated Press v. United States, 326 U.S. 1 (1945),
- Association of the Physically Handicapped v. FCC, 778 F.2d 823 (D.C. Cir. 1985),
- Atlantic Tele-Network, Inc., 7 F.C.C. Red. 6634 (1992),
- Attorney Gen. v. Irish Nat'l Aid Comm., 346 F. Supp. 1384 (S.D.N.Y.), aff'd, 465 F.2d 1405 (2d. Cir.), cert. denied, 409 U.S. 1080 (1972),
- Attorney Gen. v. Irish People, Inc., 684 F.2d 928 (D.C. Cir. 1982), cert. denied, 459 U.S. 1172 (1983),
- Bamford v. FCC, 535 F.2d 78 (D.C.Cir. 1976),
- Banque De Paris et des Pays Bays, 6 F.C.C.2d 418 (1966), BBC License Subsidiary L.P., 1995

- F.C.C. LEXIS 3086 (Apr. 27, 1995).
- BellSouth Corp. v. United States, 868 F. Supp. 1335 (N.D. Ala. 1994).
- Berkshire Cablevision v. Burke, 571 F. Supp. 976 (D.R.I. 1983), aff'd, 773 F.2d 382 (1st Cir. 1985),
- Bloomington-Normal MSA L.P., 2 F.C.C. Rcd. 5427 (1987),
- Bolling v. Sharpe, 347 U.S. 497 (1954),
- Bridges v. Wixon, 326 U.S. 135 (1945),
- Burroughs Wellcome Co., 4 F.C.C. Rcd. 7190 (1989),
- Campos v. FCC, 650 F.2d 890 (7th Cir. 1981),
- Carta Corp., 4 F.C.C. Rcd. 7973 (1989),
- Cellwave Telephone Servs. L.P. v. FCC, 30 F.3d 1533 (D.C. Cir., 1994),
- Central Florida Enterprises, Inc., 22 F.C.C.2d 260 (1970),
- Century Communications Corp. v. FCC, 837 F.2d 517 (D.C. Cir. 1988),
- Channei 31, Inc., 45 Rad. Reg. 2d (P & F) 420 (1979),
- Chesapeake & Potomac Tel. Co. of Va. v. United States, 42 F.3d 181 (4th Cir. 1995), cert. granted, 63 U.S.L.W. 3906 (June 26, 1995),
- Chevron, U.S.A. Inc. v. Natural Resources Defense Council, Inc., 467 U.S. 837 (1984),
- Chicagoland Television Co., 4 Rad. Reg. 2d (P & F) 747 (1965), application for review denied, F.C.C. 65-367 (May 5, 1965),
- Cohen v. California, 403 U.S. 15

(1971),

Commercial Broadcast Station, Revision of Application for Construction Permit, Memorandum Opinion and Order, 50 Rad. Reg. 2d (P & F) 381 (1981),

Community Communications Co. v. City of Boulder, 660 F.2d 1370 (10th Cir. 1981), cert dismissed, 456 U.S. 1001 (1982),

Competitive Carrier Policies, 102 F.C.C.2d 812 (1985), recon. denied, 50 Rad. Reg. (P & F) 1435 (1986),

COMSAT Earth Stations, Inc., 8 F.C.C. Rcd. 7607 (1993),

Comsat General, 3 F.C.C. Rcd. 4218 (1988)

Continental Cellular, 5 F.C.C. Rcd. 691 (1990),

Continental Illinois Venture Corp., 6 F.C.C. Rcd. 1944 (1991),

Cornelius v. NAACP Legal Defense & Educ. Fund, 473 U.S. 788, 806 (1985),

Corporate Ownership Reporting and Disclosure by Broadcast Licensees, Report and Order, Dkt. No. 20521 et al., 97 F.C.C. 2d 997 (1984),

Crosley, Powell Jr., 11 F.C.C.2d (1945),

Data General Corp., 2 F.C.C. Rcd. 6060 (1987),

Data Transmission Co., 44 F.C.C.2d 935 (1974),

Data Transmission Co., 52 F.C.C.2d 439 (1975).

Data Transmission Co., 59 F.C.C.2d 909 (1976).

Debbs v. United States, 249 U.S. 211 (1919).

Delta Cellular Partners, 5 F.C.C. Rcd. 5525 (1990),

Dowen v. Warner, 481 F.2d 642 (9th Cir. 973),

Dubb, Benjamin L., 16 F.C.C. 274 (1951),

Examining Board of Engineers v. Flores de Otero, 426 U.S. 572 (1976),

Executive Order No. 12,901, 59 Fed. Reg. 10,727 (1994),

Farragut Television Corp., 4 Rad. Reg. 2d (P & F) 350 91965),

FCC v. Pacifica Foundation, 438 U.S. 726 (1978),

FCC v. Sanders Bros. Radio Station, 309 U.S. 470 (1940)

Flathead Valley Broadcasters, 5 Rad. Reg. 2d (P & F) 74 (Rev. Bd. 1965),

Foley v. Connelie, 435 U.S. 291 (1978),

Forsyth County v. The Nationalist Movement, 112 S. Ct. 2395 (1992),

Fox Television Stations, Inc., 1995 F.C.C. LEXIS 3100 (May 4, 1995).

Fox Television Stations, Inc., No. FCC 95-188 (May 4, 1995).

French Telegraph Cable Co., 71 F.C.C.2d 393 (1979),

FTC Communications, Inc., 2 F.C.C. Rcd. 7513 (Common Carrier Bureau 1987),

FTC Communications, Inc., 75 F.C.C.2d 15 (1979),

GCI Liquidating Trust, 7 F.C.C. Rcd. 6741 (1992), General Electric Co., 3 F.C.C.